

of the grant agreement and scope of work on or before the date funds are obligated.

(9) The actual date of applicant notification will be entered on the original of Form FmHA or its successor agency under Public Law 103-354 440-1 and the original of the form will be included as a permanent part of the file.

(10) For planning grants, Standard Form 270, "Request for Advance or Reimbursement," will be sent to the applicant for completion and return to FmHA or its successor agency under Public Law 103-354. For site acquisition and site development grants, Standard Form 271, "Outlay Report and Request for Reimbursement for Construction Programs," will be sent to the applicant for completion and returned to FmHA or its successor agency under Public Law 103-354.

(11) If it is determined that a project will not be funded or if major changes in the scope of the project are made after release of the approval announcement, the FmHA or its successor agency under Public Law 103-354 State Director will notify the Director, Legislative Affairs and Public Information Staff (LAPIS) by telephone or electronic mail giving the reasons for such action. The Director, LAPIS, will inform all parties who were notified by the project announcement that the project will not be funded or of major changes in the project using a procedure similar to the announcement process. Form FmHA or its successor agency under Public Law 103-354 1940-10, "Cancellation of U.S. Treasury Check and/or Obligation," will not be submitted to the Finance Office until five working days after notifying the Director, LAPIS.

(7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; sec. 10 Pub. L. 93-357; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Under Secretary for Small Community and Rural Development, 7 CFR 2.70)

[44 FR 35984, June 19, 1979, as amended at 47 FR 36416, Aug. 20, 1982; 48 FR 30946, July 6, 1983]

§ 1948.93 Appeal procedure.

Any grantee or applicant for FmHA or its successor agency under Public Law 103-354 assistance under this sub-

part who has been directly and adversely affected by an administrative decision by FmHA or its successor agency under Public Law 103-354 may appeal such decision in accordance with FmHA Instruction 1900-B.

§ 1948.94 Reporting requirements.

(a) For planning grants, SF-270 shall be submitted by grantees on an as-needed basis but not more frequently than once every 30 days. SF-269, "Financial Status Report," and a project performance activity report will be required of all grantees on a quarterly basis. SF-269 and a final project performance report will also be required. These final reports may serve as the last quarterly reports. Grantees shall constantly monitor performance to ensure that time schedules are being met, projected work by time periods is being accomplished, and other performance objectives are being achieved. All grantees except States should submit an original of each report and one copy to the appropriate FmHA or its successor agency under Public Law 103-354 District Office. When the grantee is a State, an original should be submitted to the appropriate FmHA or its successor agency under Public Law 103-354 State Office. The project performance reports shall include, but need not be limited to the following:

(1) A comparison of actual accomplishments to the objectives established for that period;

(2) Reasons why established objectives were not met;

(3) Problems, delays, or adverse conditions which will materially affect attainment of planned project objectives, prevent the meeting of time schedules or objectives, or preclude the attainment of project work elements during established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Federal assistance needed to resolve the situation; and

(4) Objectives established for the next reporting period.

(b) For site development and land acquisition grants, grantees shall submit Form SF-271 for payment of site development costs. Multiple advances will be made in accordance with FmHA Instruction 402.1 (available in any FmHA

§ 1948.95

or its successor agency under Public Law 103-354 office) and will be made as needed to cover required disbursements for not less than 30 day periods. Advances will be requested for the next 30 day period by the grantee on Form SF-272, "Report of Federal Cash Transactions." Each payment estimate must be approved by the grantee. A final Form SF-272 will be submitted to FmHA or its successor agency under Public Law 103-354 to include the final advance not later than 90 days after the final advance.

§ 1948.95 Grant monitoring.

Each grant will be monitored by FmHA or its successor agency under Public Law 103-354 to ensure that the Grantee is complying with the terms of the grant and that the project activities are completed as approved. This will involve on-site visits to the project area and review of quarterly and final reports by FmHA or its successor agency under Public Law 103-354.

§ 1948.96 Audit requirements.

(a) Audit requirements for Site Development and Acquisition Grants will be made in accordance with FmHA Instruction 1942-G.

(b) Audits for planning grants made in accordance with State statutes or regulatory agencies will be acceptable provided they are prepared in sufficient detail to permit FmHA or its successor agency under Public Law 103-354 to determine that grant funds have been used in compliance with the proposal, any applicable laws and regulations, and the grant agreement. A copy of the audit shall be submitted to the State Director as soon as possible but in no case later than 90 days following the period covered by the grant.

§ 1948.97 Grant closing and fund disbursement.

Grant closing and fund disbursement will be accomplished in accordance with FmHA Instruction 1942-G.

§ 1948.98 Grant agreements.

The following Grant Agreements are a part of this regulation.

(a) Exhibit A of this subpart is a Grant Agreement for Growth Management and Housing Planning Grants for

7 CFR Ch. XVIII (1-1-05 Edition)

approved Designated Energy Impacted Areas.

(b) Exhibit B of this subpart is a Grant Agreement for Site Development and/or Site Acquisition for Housing and/or Public Facilities and/or Services.

§§ 1948.99-1948.100 [Reserved]

EXHIBIT A TO SUBPART B OF PART 1948— GRANT AGREEMENT—GROWTH MANAGEMENT AND HOUSING PLANNING FOR APPROVED DESIGNATED ENERGY IMPACTED AREAS

This Agreement is between

(Name),

(Address), (Grantee) and the United States of America acting through the Farmers Home Administration (Grantor or FmHA) or its successor agency under Public Law 103-354. Grantee has determined to undertake certain growth management and housing planning for energy impacted areas at an estimated cost of \$_____ and has duly authorized such planning. The Grantor agrees to grant to Grantee a sum not to exceed \$_____ subject to the terms and conditions established by the Grantor; provided, however, that any grant funds actually advanced and not needed for grant purposes shall be returned immediately to the Grantor. The Grantor may terminate the grant in whole, or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the conditions of the grant. In consideration of said grant by Grantor to Grantee, to be made pursuant to Section 601 of the Powerplant and Industrial Fuel Use Act of 1978 (Pub. L. 95-620) for the purpose only of defraying the planning costs as permitted by applicable Farmers Home Administration or its successor agency under Public Law 103-354 regulations:

PART A

Grantor and Grantee agree:

1. This agreement shall be effective when executed by both parties.

2. The scope of work set out below shall be completed prior to_____.

3. (a) Use of grant funds for travel which is determined as being necessary to the program for which the grant is established may be subject to the travel policies of the Grantee institution if they are uniformly applied regardless of the source of funds in determining the amounts and types of reimbursable travel expenses of Grantee staff and consultants. Where the Grantee institution does not have such specific policies uniformly applied, the Federal Travel Regulations shall apply in determining the amount